



General Assembly

February Session, 2002

Amendment

LCO No. 4164

SB0039704164SR0

Offered by:

SEN. RORABACK, 30th Dist.

To: Senate Bill No. 397

File No. 76

Cal. No. 91

***"AN ACT CONCERNING THE QUALIFICATIONS OF LOCAL
BUILDING OFFICIALS."***

1 After line 17, add the following:

2 "Sec. 2. Subsection (e) of section 7-421 of the general statutes is
3 repealed and the following is substituted in lieu thereof (*Effective*
4 *October 1, 2002*):

5 (e) Any municipal employee shall have the right to serve on any
6 governmental body of the town in which [he] such employee resides
7 except any body which has responsibility for direct supervision of such
8 employee. Notwithstanding the provisions of this subsection, (1) no
9 such employee shall serve on any of the following unless such
10 employee is permitted to serve pursuant to the provisions of a
11 municipal charter or home rule ordinance or serves because of
12 membership on the legislative body of the municipality: [(1)] (A) Any
13 board of finance created pursuant to chapter 106 or any special act or
14 municipal charter; [(2)] (B) any body exercising zoning powers

15 pursuant to chapter 124 or any special act or municipal charter; [(3)]
16 (C) any body exercising land use powers pursuant to chapter 125a or
17 any special act or municipal charter; [(4)] (D) any body exercising
18 planning powers pursuant to chapter 126 or any special act or
19 municipal charter; or [(5)] (E) any body regulating inland wetlands and
20 watercourses pursuant to chapter 440 or any special act or municipal
21 charter; and (2) any municipality may, by ordinance adopted by its
22 legislative body, authorize such employees to serve on (A) any body
23 exercising zoning powers pursuant to chapter 124 or any special act or
24 municipal charter; (B) any body exercising land use powers pursuant
25 to chapter 125a or any special act or municipal charter; (C) any body
26 exercising planning powers pursuant to chapter 126 or any special act
27 or municipal charter; or (D) any body regulating inland wetlands and
28 watercourses pursuant to chapter 440 or any special act or municipal
29 charter.

30 Sec. 3. Section 8-19 of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective October 1, 2002*):

32 Any municipality may create by ordinance a planning commission,
33 which shall consist of five members, who shall be electors of such
34 municipality [holding no salaried municipal office] and whose terms
35 of office and method of election or appointment shall be fixed in the
36 ordinance. The ordinance may provide that members may be
37 municipal employees if the municipality has adopted an ordinance
38 authorizing such membership pursuant to the provisions of
39 subparagraph (C) of subdivision (2) of subsection (e) of section 7-421,
40 as amended by this act. The chief executive officer of the municipality
41 and the engineer thereof or Commissioner of Public Works, if any,
42 shall also be members of the commission, without voting privileges.
43 The terms of office shall be so arranged that the terms of not more than
44 three members shall expire in any one year. Vacancies shall be filled by
45 the commission for the unexpired portion of the term. Upon the
46 adoption of this section by ordinance as herein provided, and the
47 appointment or election of a commission thereunder, any planning
48 commission in the municipality established under any previous act of

49 the General Assembly shall cease to exist, and its books and records
50 shall be turned over to the commission established under this section,
51 provided all regulations promulgated by such planning commission
52 prior to that time shall continue in full force and effect until modified,
53 repealed or superseded in accordance with the provisions of this
54 chapter. The area of jurisdiction of a planning commission created by a
55 town includes any city or borough therein without a legally
56 constituted planning commission for all planning purposes except
57 those specified in sections 8-24 and 8-29. Powers granted under said
58 sections may be delegated by the legislative body of such city or
59 borough to the planning commission of the town in which such city or
60 borough is situated. Any city or borough in which a planning
61 commission has been previously established may, by ordinance,
62 designate the commission established under this section in the town in
63 which such city or borough is situated to be the planning commission
64 of such city or borough, and such commission shall supersede the
65 planning commission previously established in such city or borough.
66 The commission shall elect a chairman and a secretary from its
67 members, shall adopt rules for the transaction of business and shall
68 keep a public record of its activities. The planning commission of each
69 municipality shall file an annual report with the legislative body
70 thereof."